

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

**ERFINDERGEMEINSCHAFT UROPEP
GbR,**

Plaintiff,

vs.

**ELI LILLY AND COMPANY, and
BROOKSHIRE BROTHERS, INC.,**

Defendants.

CIVIL ACTION No. 2:15-cv-01202-JRG

JUDGE: HON. RODNEY GILSTRAP

**DEFENDANT BROOKSHIRE BROTHERS, INC.’S UNOPPOSED MOTION FOR
LEAVE TO FILE UNDER SEAL ITS MOTION TO DISQUALIFY FISH &
RICHARDSON P.C.**

Defendant Brookshire Brothers, Inc. (“Brookshire”) files this Unopposed Motion For Leave to File Under Seal its Motion to Disqualify Fish & Richardson P.C. The motion and its supporting declarations will contain information that is confidential and subject to the attorney-client privilege. A protective order has not yet been entered in the present case. Thus, Brookshire respectfully seeks this Court’s permission pursuant to Local Rule CV-5(a)(7) to file its Motion to Disqualify Fish & Richardson P.C. and supporting declarations and exhibits under seal. Brookshire has conferred with counsel for Plaintiff, and this motion is unopposed.

October 13, 2015

By: /s/Jon B. Hyland

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*Attorneys for Defendants
Eli Lilly and Company and
Brookshire Brothers, Inc.*

**CERTIFICATE OF
SERVICE**

The undersigned certifies that the foregoing document was filed electronically in compliance with Local Rule CV-5(a). As such, this motion was served on all counsel who are deemed to have consented to electronic service. Local Rule CV-5(a)(3)(A). Pursuant to Fed. R. Civ. P. 5(d) and Local Rule CV-5(d) and (e), all other counsel of record not deemed to have consented to electronic service were served with a true and correct copy of the foregoing by email and/or fax, on this the 13th day of October, 2015.

/s/ Jon B. Hyland

Jon B. Hyland

**CERTIFICATE OF
CONFERENCE**

The undersigned certifies that on October 12, 2015, counsel for Plaintiff and counsel for Defendants conducted a conference via telephone with Plaintiff's counsel regarding the above motion. During this call Plaintiff informed Defendants that this motion is **UNOPPOSED**.

/s/ Jon B. Hyland

Jon B. Hyland